

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

United States of America,

Case No. 3:05CR744

Plaintiff

v.

ORDER

William Davis,

Defendant

This is a criminal case in which the defendant, who is awaiting sentencing following a plea of guilty to a multi-count fraud indictment, seeks an order from this Court permitting his release pending sentencing to enable him to obtain medical care not available at Milan Federal Detention Center, his present place of confinement.

The government opposes the motion, and its opposition is well taken.

The defendant claims to have a heart condition that should be further diagnosed through procedures not available at Milan FDC. He has not shown, however, that he has followed required procedures to request such diagnostic treatment within the Bureau of Prisons.

In any event, the information he provides in support of his request to be released to home confinement is not sufficiently persuasive to justify granting his request, even if it were otherwise appropriate to do so.

Finally, as the government notes, the defendant was previously on bond. He violated a substantial condition of his release by engaging in further acts of the kind that have resulted in his indictment and conviction. There is, therefore, a risk that if the defendant were released, he would resume his criminal activities.

In light of the foregoing, it is

ORDERED THAT the defendant's motion for release pending sentencing be, and the same hereby is denied.

So ordered.

s/James G. Carr
James G. Carr
Chief Judge